



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

*AW*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,926	01/09/2002	Wayne A. Downer	BEA920010030US1	3046

25253 7590 11/07/2003

IBM CORPORATION  
IP LAW DEPT, ED02-905  
15450 SW KOLL PARKWAY  
BEAVERTON, OR 97006-6063

EXAMINER
----------

TAT, BINH C

ART UNIT	PAPER NUMBER
----------	--------------

2825

DATE MAILED: 11/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/045,926

Applicant(s)

DOWNER ET AL.

Examiner

Binh C. Tat

Art Unit

2825

Aw

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other:  |

DETAILED ACTION

1. This office action is in response to application 10/045926 filed on 01/09/02.

Claims 1-22 remain pending in the application.

*Specification*

2. The disclosure is objected to because of the following informalities: Applicants must insert serial #'s and dates on pages 1-2 of specification.

Appropriate correction is required.

*Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Ebrahim et al. (U.S. Patent No. 5905998).

5. As to claim 1, Ebrahim et al. teach a method for binding a building block of a platform to a partition in a masterless manner comprising: sending to other building blocks of the platform a first physical port identifier indicating a physical location of the building block in the platform (see fig 9, 10a-e, 13 and 14a-d and col 35-38 lines 1-67); sending to the other building blocks a first partition identifier indicating the partition of the building block (see fig 9, 10a-e, 13 and 14a-d and col 35-38 lines 1-67); receiving from the other building blocks second physical port identifiers and second partition identifiers (see fig 9 and 10a-e and 14a-d col 44 lines 1-67 and col 62 lines 13-67); sending the first physical port identifier and the second physical port

identifiers of a subset of the other building blocks to the subset, the second partition identifiers of the subset equal to the first partition identifier (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67); receiving the first physical port identifier and the second physical port identifiers of the subset of the other building blocks from each other building block of the subset; sending to the subset of the other building blocks a first logical port identifier indicating a logical location of the building block in the partition indicated by the first partition identifier (see fig 9 and 10a-e and 14a-d col 44 lines 1-67 and col 62 lines 13-67); receiving from the subset of the other building blocks second logical port identifiers (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67); and, joining the partition indicated by the first partition identifier (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67).

6. As to claim 2, Ebrahim et al teach further comprising, prior to sending to the other building blocks of the platform the first physical port identifier, determining the first physical port identifier (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and background).

7. As to claims 3, Ebrahim et al teach further comprising, prior to sending to the other building blocks the first partition identifier, determining the first partition identifier (see fig 9 and 10a-e and 14a-d col 44 lines 1-67 and col 62 lines 13-67).

8. As to claim 4, Ebrahim et al teach further comprising, after receiving the first physical port identifier and the second physical port identifiers of the subset of the other building blocks from each other building block of the subset, verifying that the first physical port identifier and the second physical port identifiers of the subset received from each other building block of the subset equal the first physical port identifier and the second physical port identifiers of the subset

previously sent to the subset (see fig 9 and 10a-e and 14a-d col 44 lines 1-67 and col 62 lines 13-67 and background and summary).

9. As to claim 5, Ebrahim et al. teach further comprising, prior to sending to the subset of the other building blocks the first logical port identifier, determining the first logical port identifier (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and background).

10. As to claim 6 Ebrahim et al. teach further comprising, after receiving from the subset of the other building blocks the second logical port identifiers, verifying that each of the first logical port identifier and the second logical port identifiers is relatively unique (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and background).

11. As to claim 7, Ebrahim et al. teach further comprising, in response to determining that the first logical port identifier is less than each of the second logical port identifiers, booting the partition (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and background).

12. As to claim 8 Ebrahim et al. teach further comprising: setting a first boot identifier as a lowest of the first logical port identifiers and the second logical port identifiers; receiving from the subset of the other building blocks second boot identifiers; and, verifying that the first boot identifier equals each of the second boot identifiers (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and col 40 lines 1-67 and background).

13. As to claim 9, and 10 Ebrahim et al. teach further comprising: protecting the building block, and wherein protecting the building block comprises setting a protect indicator of the building block; and, protecting the partition (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and col 40 lines 1-67 and background).

Art Unit: 2825

14. As to claim 11, Ebrahim et al. teach wherein joining the partition indicated by the first partition identifier comprises setting a commit indicator of the building block (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and col 40 lines 1-67 and background).

15. As to claim 12, Ebrahim et al. teach further comprising, prior to receiving from the other building blocks the second physical port identifiers and the second partition identifiers, waiting for the other building blocks for a length of time based on whether the other building blocks are resetting or rebooting themselves (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and col 40 lines 1-67 and background).

16. As to claim 13, Ebrahim et al. teach further comprising, prior to receiving from the subset of the other building blocks the second logical port identifiers, waiting for the subset of the other building blocks for a length of time based on whether the subset of the other building blocks are reinitializing hardware and software of the subset of the other building blocks (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and col 40 lines 1-67 and background).

17. As to claim 14, Ebrahim et al. teach a platform (see fig 9 and 10a-e); a plurality of building blocks of the platform, each building block having a physical port identifier indicating a physical location in the platform, a partition identifier, and a logical port identifier indicating a logical location in a partition identified by the partition identifier (see fig 9, 10a-e, 13 and 14a-d and col 35-38 lines 1-67); and, a plurality of partitions of the platform, the partition identifier of each of the plurality of building blocks indicating one of the plurality of partitions to which the building block is bound in a masterless manner using the physical port identifiers, the logical port identifiers, and the partition identifiers of the plurality of building blocks (see fig 9 and 10a-e and 14a-d col 44 lines 1-67 and col 62 lines 13-67).

18. As to claim 15, Ebrahim et al. teach, wherein each building block further has a protect indicator indicating whether the building block is currently write protected (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and col 40 lines 1-67 and background).

19. As to claim 16, Ebrahim et al. teach wherein each building block further has a commit indicator indicating whether the building block is currently bound to the one of the plurality of partitions indicated by the partition identifier of the building block (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and col 40 lines 1-67 and background).

20. As to claim 17, Ebrahim et al. teach wherein each building block further has a status indicator indicating a current status of the building block (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and col 40 lines 1-67 and background).

21. As to claim 18, Ebrahim et al. teach wherein the masterless manner uses the physical port identifiers, the logical port identifiers, and the partition identifiers of the plurality of building blocks by each of the plurality of building blocks at least one of selectively sending to and receiving from other of the plurality of building blocks the physical port identifiers, the logical port identifiers, and the partition identifiers of the plurality of building blocks (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and col 40 lines 1-67 and background).

22. As to claim 19, Ebrahim et al. teach a computer-readable medium (see fig 9 and 10a-e); and, means in the medium for joining a partition indicated by a first partition identifier of a building block of a platform in a masterless manner by using the first partition identifier, a first physical port identifier indicating a physical location of the building block in the platform, and a first logical port identifier indicating a logical location of the building block in the partition indicated by the first partition identifier, and second partition identifiers, second physical port

Art Unit: 2825

identifiers, and second logical port identifiers of other building blocks of the platform (see fig 9, 10a-e, 13 and 14a-d and col 35-38 lines 1-67).

23. As to claim 20, Ebrahim et al. teach wherein the means uses the first partition identifier, the first physical port identifier, and the first logical port identifier, and the second partition identifiers, the second physical port identifiers, and the second logical port identifiers of the other building blocks of the platform by selectively sending at least one of the first partition identifier, the first physical port identifier, and the first logical port identifier, and the second partition identifiers,, the second physical port identifiers, and the second logical port identifiers of the other building blocks of the platform to at least some of the other building blocks of the platform (see fig 9 and 10a-e and 14a-d col 44 lines 1-67 and col 62 lines 13-67).

24. As to claim 21, Ebrahim et al. teach wherein the means uses the first partition identifier, the first physical port identifier, and the first logical port identifier, and the second partition identifiers, the second physical port identifiers, and the second logical port identifiers of the other building blocks of the platform by selectively receiving at least one of the first partition identifier, the first physical port identifier, and the first logical port identifier, and the second partition identifiers, the second physical port identifiers, and the second logical port identifiers of the other building blocks of the platform from at least some of the other building blocks of the platform (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and col 40 lines 1-67 and background).

25. As to claim 22, Ebrahim et al. teach wherein the medium is one of a modulated carrier signal and a recordable data storage medium (see fig 9, 10a-e, 13 and 14-a-d and col 35-38 lines 1-67 and col 40 lines 1-67 and background).



Art Unit: 2825

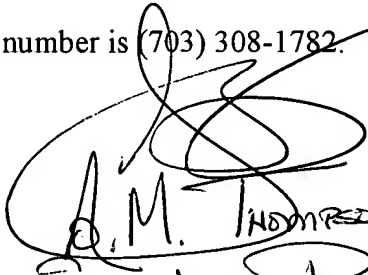
*Conclusion*

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh C. Tat whose telephone number is (703) 305-4855. The examiner can normally be reached on 7:30 - 4:00 (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mathew Smith can be reached on (703) 308-1323. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Binh Tat  
Art Unit 2825  
November 3, 2003

  
A.M. THOMPSON  
MASTER'S LEVEL PATENT EXAMINER  
TECHNOLOGY GROUP 2825